THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No.1509 of 1996

27.7.2005

Between:

Talisetti Lakshmana Dora, S/o.Manikyala Rao, aged about 58 years,

Occupation:Cultivation, R/o.Kakinada, East Godavari District.

… Petitioner

AND

1. Venugopalaswamy Devasthanam, Komarigiri, East Godavari District

rep. By its Manager and two others.

… Respondents

ORDER:

This writ petition is preferred against the order in A.T.A.No.39 of 1988 confirming the orders of eviction passed against the petitioner in A.T.C.No.14 of 1983.

First respondent filed the aforesaid A.T.C.No.14 of 1983 seeking eviction of the petitioner on the ground that petitioner committed default in payment of maktha. The petitioner admitted the landlord filing of a suit for recovery of arrears of maktha for the years 1979-80 to 1982-83. Ex.A.1 is the copy of decree in O.S.No.147 of 1984. Since default in payment of rent is one of the grounds for eviction of the tenant, and since petitioner admittedly committed default in payment of rent (maktha) the order of the Tribunal passing an order of eviction which was confirmed by the appellate authority, cannot be interfered with.

Hence the writ petition is dismissed. No costs.

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(**C.Y.SOMAYAJULU, J**)

July 27, 2005.

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